



One Hundred First Legislature - Second Session - 2010
Introducer's Statement of Intent
LB 861

Chairperson: Russ Karpisek
Committee: General Affairs
Date of Hearing: January 25, 2010

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The four changes in this bill to the Liquor Control Act are as follows:

1. Divide the definitions in section 53-103 into separate sections and place them in alphabetical order, found in sections 5 to 47. Sections 2, 3, 4, 50, 61, 65, 66, 67, 68, and 69 correct references to the new sections where the definitions are found.
2. Create a table in a new section for fees found in section 53-124 and leave section 53-124 as the section that provides procedures for fees. See sections 52 and 53 found on pages 32-38. Sections 1, 4, 48, 49, 51, 54, 55, 56, 57, 58, 59, and 62 correct references to the fees and subdivision of section 53-124 as changed.
3. Change the distribution language for the license fees to the common school fund according to direction from the office of the State Treasurer. See sections 60 and 64 on pages 49-50 and 55-57.
4. Reverse the changes made to section 53-169.01 by Laws 2007, LB578, § 3. See section 63 on pages 54-55. The court declared the section as amended was unconstitutional in Southern Wine & Spirits of America, Inc. v. Heineman, 534 F.Supp.2d 1001 (D.Neb.2008). Case No. 4:07CV3244 (D. Neb.) (2/14/08). All the changes are reversed in this bill.

Principal Introducer:

Russ Karpisek, Chairperson
Committee on General Affairs